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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 EDDIE LEE HARRIS,) CASE NO. CV 11-7511-PA (PJW)
11)
12 Petitioner,)
13 v.) ORDER ACCEPTING AMENDED REPORT AND
14 UNKNOWN,) RECOMMENDATION OF UNITED STATES
15) MAGISTRATE JUDGE AND DENYING
16 Respondent.) CERTIFICATE OF APPEALABILITY
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16 Pursuant to 28 U.S.C. Section 636, the Court has reviewed the
17 Petition, records on file, and the Amended Report and Recommendation
18 of the United States Magistrate Judge. Further, the Court has engaged
19 in a *de novo* review of those portions of the Report to which
20 Petitioner has objected. The Court accepts the findings and
21 recommendation of the Magistrate Judge.

22 Further, for the reasons stated in the Amended Report and
23 Recommendation, the Court finds that Petitioner has not made a
24 substantial showing of the denial of a constitutional right or that
25 the court erred in its procedural ruling and therefore, a certificate
26 of appealability is denied. See 28 U.S.C. § 2253(c)(2); Fed. R. App.
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1 P. 22(b); *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003); *Slack v.*
2 *McDaniel*, 529 U.S. 473, 484 (2000).

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4 DATED: May 9, 2012

A handwritten signature in dark ink, appearing to read "Percy Anderson", is written over a horizontal line.

7 PERCY ANDERSON
8 UNITED STATES DISTRICT JUDGE
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